

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:92CV3040
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
ROGER H. HERBEK,	)	
LINDA E. HERBEK, and	)	
SECURITY NATIONAL BANK,	)	
	)	
Defendants.	)	
_____	)	
	)	
IN THE MATTER OF:	)	BK10-41562-TLS
	)	Chapter 7
ROGER HENRY HERBEK and	)	A10-4045 -TLS
LINDA ELAINE HERBEK,	)	
	)	
Debtors.	)	

This matter is before the Court upon the report and recommendation of the United States Bankruptcy Judge, who recommends that this adversary proceeding be withdrawn and that the case go forward in the United States District Court for the District of Nebraska. No objection to the report and recommendation has been filed by any party within the time permitted by [NEGenR 1.5\(b\)\(2\)](#). I will adopt the report and recommendation. Accordingly,

IT IS ORDERED:

1. Pursuant to the report and recommendation of the United States Bankruptcy Judge (filing [64](#)), the referral of this matter to the Bankruptcy Court is withdrawn and the case is returned to the District Court for further proceedings, as appropriate.

2. On or before March 1, 2011, the United States shall advise the undersigned whether a hearing should be rescheduled on the motions to show cause why the defendants Roger Herbek and Linda Herbek should not be held in contempt (filings [53](#), [54](#)) or whether this case should be closed.

February 16, 2011.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge